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PATENT 030354

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Lowry et al.

SPARSE DELTA MODEL FOR

POSITION AND BALANCE

Serial No.: 10/618,247 INFORMATION

Filing Date: July 11, 2003

INFORMATION DISCLOSURE STATEMENT

January 4, 2005

Mail Stop: Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

Applicants, in accordance with the duty of disclosure pursuant to 37 C.F.R. § 1.56, hereby advise the United States Patent and Trademark Office of the references listed on the accompanying form PTO/SB/08A Information Disclosure Statement by Applicant (Substitute for Form-1449A/PTO).

Applicants note that although the cited references may be relevant to the examination of the above-referenced patent application, under 37 C.F.R. § 1.97(h), the filing

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PI-1287998 v1 0806995-0107

of this *Information Disclosure Statement by Applicant* "shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b)."

Respectfully submitted,

Michael D. Lazzara

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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|---|---|----|--------|------------------------|---------------|--|--|
| | | | | Application Number | 10/618,247 | | |
| | | | | Filing Date | July 11, 2003 | | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | SURE | First Named Inventor | Lowry | | |
| | | | CANT | Art Unit | 3621 | | |
| | | | | Examiner Name | | | |
| (use as many sheets as necessary) | | | ssary) | | | | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 030354 | | |

| | U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|---|--------------------------------|--|---|--|
| Examiner Initials* | Cite No.1 | Document Number Number - Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| | | 5,978,779 | 11-02-1999 | Stein et al. | | |
| | | 6,408,282 | 06-18-2002 | Buist | | |
| | T | US 2002/0042764 | 04-11-2002 | Gardner et al. | | |
| | | US 2002/0065752 | 05-30-2002 | Lewis | | |
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| | FOREIGN PATENT DOCUMENTS | | | | | | |
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| | | Foreign Patent Document | | Name of Patentee or | Pages, Columns, Lines, | | |
| Examiner Initials* | Cite No. ¹ | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | Publication Date MM-DD-YYYY | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | T ⁶ | |
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|-----------------------------------|------------------------|---------------|--|
| Substitute for form 1449A/PTO | Application Number | 10/618,247 | |
| | Filing Date | July 11, 2003 | |
| INFORMATION DISCLOSURE | First Named Inventor | Lowry | |
| STATEMENT BY APPLICANT | Art Unit | 3621 | |
| | Examiner Name | | |
| (use as many sheets as necessary) | | | |
| Sheet 2 of 2 | Attorney Docket Number | 030354 | |

NON DATENT LITEDATURE DOCUMENTS

| Examiner Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
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